

REQUEST TO PRESERVE EVIDENCE

In re Flint Water Cases

**In the United States District Court
for the Eastern District of Michigan**

TO:

**FROM: Counsel for all Plaintiffs
and
Counsel for all Defendants**

This request to preserve evidence is sent to you jointly by attorneys representing the plaintiffs and attorneys representing non-government defendants in lawsuits arising out of alleged contamination of the City of Flint municipal water supply that are pending in the United States District Court for the Eastern District of Michigan, Southern Division. **The attorneys' request has been approved and authorized by the judge of that Court, the Honorable Judith E. Levy, who is presiding over those lawsuits.**

Based on information we have learned up until now, we believe you may have in your possession, or otherwise subject to your control, evidence that may be substantially relevant to issues in the Flint Water Cases. The evidence may be in the form of physical objects, or documents, or electronically stored information (such as, for example, e-mails, text messages, tweets, social media posts, voicemails, etc.). The evidence you have may be important to the just and fair resolution of the Flint Water Cases. We therefore ask that you preserve all such evidence, unaltered, until attorneys representing the plaintiffs in the Flint Water Cases and attorneys representing the defendants in those cases have had an adequate opportunity to inspect the evidence or to obtain copies of it, so that jurors who may later be asked to decide the cases can have the benefit of as much relevant evidence as possible in deciding the truth of disputed factual matters.

We believe that types of evidence in your possession or under your control may include:

[LIST SPECIFIC TYPES OF EVIDENCE COUNSEL BELIEVES THIS PARTICULAR NON-PARTY MAY HAVE]

We are not in a position, however, to be able to identify everything of relevance you may have. In addition to items listed above, we ask that you not discard, delete, destroy, or modify, and that you take reasonable steps to preserve, any and all physical

evidence, documents, and electronically stored information in your possession or under your control that concerns lead contamination or other contamination of the City of Flint's municipal water supply at any time since April 25, 2014. A few examples of such items might include paper or electronic correspondence with City of Flint, State of Michigan, or federal EPA officials concerning the City's municipal water supply, paper or electronic correspondence with private companies who had involvement with the City of Flint's municipal water supply, and paper or electronic correspondence with Flint residents concerning the municipal water supply or any contamination of it, or contracts, agreements, or samples of physical evidence related to the testing or replacement of pipes in the City of Flint.

The attorneys who have sent this letter are listed below. If you have questions about the letter, two attorneys, [] and [], have been designated to respond to questions about it. [] represents some of the plaintiffs in the federal Flint Water Cases and [] represents some of the defendants in those cases.

[ADD ATTORNEYS' NAMES AND FIRM ADDRESSES]